

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CHRISTOPHER GANN, LEANDRE
BISHOP, AUTUMN PIERCE, and JURA
GERALD, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC., a
California corporation,

Defendant.

Case No. 3:18-cv-00966

Judge Eli J. Richardson

**DEFENDANT NISSAN NORTH AMERICA, INC.’S
MOTION TO DISMISS PLAINTIFFS’
FIRST AMENDED CLASS ACTION COMPLAINT**

In accordance with Federal Rules of Civil Procedure 8(a) and 12(b)(6), Defendant Nissan North America, Inc. (“NNA”) moves this Court to dismiss, with prejudice, Counts II and IV-VIII of Plaintiffs’ First Amended Class Action Complaint in their entirety, and Counts I and III as to Plaintiffs Gann and Gerald. In support, NNA relies upon the reasons and arguments contained in its accompanying memorandum of law.

Dated: February 25, 2019

Respectfully submitted,

By: /s/ John S. Hicks

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CERTIFICATE OF SERVICE

I hereby certify that on February 25, 2019, a copy of the foregoing was filed electronically with the Clerk of the court for the United States District Court for the Middle District of Tennessee using the CM/ECF filing system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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